

THESE MINUTES ARE SUBJECT TO FORMAL APPROVAL BY THE WYOMING  
PLANNING COMMISSION AT ITS REGULAR MEETING OF JULY 15, 2014

PLANNING COMMISSION  
MINUTES OF JUNE 17, 2014  
CITY COUNCIL CHAMBERS  
CITY OF WYOMING, MICHIGAN

MEMBERS PRESENT: Arnoys, Bueche, Goodheart, Hegyi, Micele, Postema, Spencer,  
Weller, Woodruff

MEMBERS ABSENT: None

STAFF PRESENT: Rynbrandt, Director of Community Services  
Cochran, City Planner  
Lucar, Administrative Aide

Chair Spencer called the meeting to order at 7:00 PM.

APPROVAL OF MINUTES

The minutes of May 20, 2014 were approved as written.

APPROVAL OF AGENDA

The agenda was approved as presented.

PUBLIC COMMENT ON NON-PUBLIC HEARING AGENDA ITEMS

There were no comments.

AGENDA ITEM NO. 1

Request to amend Zoning Code Section 90-56 Drive-in Establishment, Section 90-337(5) B-1 Local Business District, Section 90-372(4) B-2 General Business District, Section 90-402(5) B-3 Planned Business District, Section 90-617(8) PUD-1 Low Density Planned Unit Development District, Section 90-895 Requirements for Permitted Uses After Special Approval, Section 90-901(4) PUD-2 Planned Commercial Development District and Section 90-952(12) PUD-3 Planned Health Care District to allow drive through restaurants in all commercial districts by Special Use Approval. (Wyoming Planning Department)

Cochran explained the City of Wyoming has numerous commercial zoning districts. Each was created to guide desired land development. These districts include B-1 Local Business (located

primarily at neighborhood intersections), B-2 General Business (Division Avenue and 28<sup>th</sup> Street), B-3 Planned Business (54<sup>th</sup> Street and Clyde Park Avenue), PUD-1 Low Density Planned Unit Development (Bayberry Farms), PUD-2 Planned Commercial Development District (Wilson Town Shopping Center), PUD-3 Planned Health Care District (Metro Health Village), and Form Based Code (28<sup>th</sup> Street Downtown Area).

Historically, one of the distinctions within the various commercial areas was to restrict drive-in restaurants (which were expanded to include drive-through restaurants) only to the B-2 General Business District. Over the years, numerous deliberations have ensued at the City as developers desired to provide drive through restaurants in areas not zoned for such use. These deliberations have included the following:

- Steak n' Shake on Clyde Park Avenue (a B-3 District, permitted by use variance from the Board of Zoning Appeals.)
- Sonic on Clyde Park Avenue (rezoned the property from B-3 to B-2.)
- KFC on 28<sup>th</sup> Street (after much debate, the DC District was adopted to allow drive through restaurants by special use approval. Now the property is zoned FBC.)
- Starbucks in Metro Health Village (PUD-3 District, permitted by use variance from the Board of Zoning Appeals.)
- Biggby Coffee in Bayberry Market Place (PUD-1 District, permitted by use variance from the Board of Zoning Appeals.)
- KFC on 56<sup>th</sup> Street (permitted by a Zoning Ordinance amendment in 2008 to allow drive-in restaurants by special use approval in the B-1 District.)
- The Form Based Code District was constructed to allow drive through restaurants by special use approval.

It is recognized that drive through restaurants have become common place and the original concerns regarding their operations (vehicle stacking, noise, etc.) have diminished. They are now being proposed with such business interests as Tim Horton's, Subway and Jimmy John's. The Form Based Code was recently constructed in recognition that drive through restaurants could be accommodated even in compact developments. Staff is aware of development interests in commercial areas of the City where they would be prohibited by the current zoning restrictions.

Wyoming's drive-in ordinance restrictions have been in place essentially since 1983 and are outdated. It is staff's recommendation that drive through restaurants should be allowable in all commercial districts with Special Use Approval from the Planning Commission. The high level of scrutiny provided by this process, including the required public hearing, is sufficient to determine whether a drive through restaurant use is suitable at any given commercial location. As such, the outdated Zoning Code design and access requirements found in Sections 90-56 and 90-895 are also proposed to be removed.

Proposed Ordinance Amendments (Proposed amendments in **bold**):

Section 90-56 Drive-in Establishment:

Remove all wording. Replace with **Reserved**.

Section 90-337 (5) B-1 Local Business District:

Remove Drive-in restaurants or other drive-in establishments serving food or beverages.  
Replace with **Drive through restaurants**.

Section 90-372 (4) B-2 General Business District:

Remove Drive-in restaurants or other drive-in establishments serving food or other beverages.  
Replace with **Drive through restaurants**.

Section 90-402 (5) B-3 Planned Business District:

Add **Drive through restaurants**.

Section 90-617 (8) PUD-1 Low Density Planned Unit Development District:

Add **Drive through restaurants**.

Section 90-895 Requirements for Permitted Uses After Special Approval:

Remove Drive-in restaurants.

Section 90-901 (4) PUD-2 Planned Commercial Development District:

Add **Drive through restaurants**.

Section 90-952 (12) PUD-3 Planned Health Care District:

Add **Drive through restaurants**.

Planning Commission Action:

The Development Review Team suggested the Planning Commission recommend to the City Council the subject Zoning Code amendments.

Chair Spencer opened the public hearing. There were no comments and the public hearing was closed.

Motion by Bueche, seconded by Woodruff, to recommend to the City Council the subject Zoning Code amendments. Motion carried unanimously.

AGENDA ITEM NO. 2

Request to amend the Condominium Plan for Metro Health Village Planned Unit Development. The property is located at the northeast corner of M-6 and Byron Center Avenue (Section 34) (Granger Group)

Cochran described the location, existing land use and current zoning around the area. He noted the Metro Health Village Planned Unit Development has undertaken numerous revisions since its inception in 2002. Originally designed with conceptual uses surrounding the Metro Health Hospital, it has evolved under area market forces as new uses and developments were undertaken. The Condominium Plan was first approved by the Planning Commission in August 2006. Over the years, the boundaries of the affected individual condominium units have been revised depending upon the specific land area needs of the new developments.

The Condominium Plan has been amended by the Planning Commission five times, with the last occurring on January 18, 2011. That change was to accommodate the Family Fare and C-store. The current proposed amendment is a minor change to split Unit 13 into Units 51 and 52. Unit 52 was approved for the Metro Health Senior Living Center by the Planning Commission on March 18, 2014.

Staff highlighted how the proposal conforms to the City of Wyoming Sustainability Principles. The Metro Health Village provides health, office and retail services to the region. Exceptional employment throughout the complex is provided. Amendments to the Condominium Plan allow for the efficient utilization of properties throughout the development. The Metro Health Village conforms to the Wyoming Sustainability Principles to promote a stable and vibrant community.

Planning Commission Action:

The Development Review Team recommended the Planning Commission grant approval for the amended Metro Health Village Condominium Plan.

Motion by Bueche, supported by Woodruff, to grant approval for the amended Metro Health Village Condominium Plan. Discussion followed.

Goodheart asked petitioner Greg Markvluer if Unit 51 will have shared parking with Unit 52. Markvluer replied it will depend on the future development of Unit 51.

A vote on the motion carried unanimously.

AGENDA ITEM NO. 3

FBC Division Avenue update.

Cochran mentioned there has been continued work with the City of Kentwood and the steering committee on the Form Based Code for Division Avenue. About ten committee members

participated in a walking tour recently in the 44<sup>th</sup> Street/Division Avenue area, identifying building placement, parking, impacts on streets, etc. The committee will meet again next week and discuss perspectives from the walking tour.

#### AGENDA ITEM NO. 4

Election of Officers – July 15th.

Cochran reminded the Commissioners that the election of officers will take place at the July 15, 2014 Planning Commission meeting.

Chair Spencer mentioned that Arnoys, Bueche and Weller had been reappointed to the Planning Commission by the City Council for another three-year term.

#### PUBLIC COMMENT

There was no public comment.

Cochran noted that there will be some significant projects coming before the Planning Commission in the near future. Postema asked for an update regarding current in-house project reviews. Cochran mentioned some of the new projects. As a result of the Pickett Street vacation, the request has been submitted for the multi-tenant industrial addition. A 100,000 s.f. addition has been submitted for R.L. Adams on Crossroads Commerce Drive. Another addition in this industrial area is to the Roman Manufacturing building. A mini-warehouse addition is going in the 5700 block of Division Avenue, and Gilmore has an addition going in on Terminal Street. GM is constructing an Electrical Switch Building on the Delphi site. Staff is also working with Wyoming Village Mall regarding redevelopment. Staff will provide a monthly update on new developments within the city.

#### ADJOURNMENT

The meeting was adjourned at 7:20 P.M.

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Anthony Woodruff, Secretary  
Wyoming Planning Commission

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Kimberly S. Lucar, Administrative Aide  
Wyoming Planning Commission